



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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(not for service)

August 23, 2017

**BY ECF**

Honorable P. Kevin Castel  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Silberberg, et al. v. Board of Elections of the State of New York, et al.,  
16-CV-8336 (PKC)

Dear Judge Castel:

I am an Assistant Corporation Counsel in the office of Corporation Counsel Zachary W. Carter, attorney for Defendants the Board of Elections in the City of New York (the “Board”), its Commissioners (Guastella, Umane, Araujo, Flateau, Grey, Michel, Rendino, Schulkin, Shamoun, and Vargas), District Attorney Cyrus Vance and Acting District Attorney Eric Gonzalez, and their respective offices (collectively, the “City Defendants”) in the above-referenced action.

I write to inform Your Honor that City Defendants’ expert witness, Professor Stephen C. Graves (dkt. no. 119) is not available to testify on August 29, 2017, the first day of the trial in this action (dkt. no. 98), because of teaching commitments at the Massachusetts Institute of Technology. However, Professor Graves is available on August 30, 2017 and City Defendants expect Professor Graves to arrive in New York City from Boston by train and be available to testify by 10:00 a.m. Accordingly, City Defendants request that they be permitted to call Professor Graves to testify on Wednesday August 30, 2017.

Respectfully submitted,

s/

Evan Schnittman  
Assistant Corporation Counsel

cc: **BY ECF**

Leo Glickman and Amy Robinson, Attorneys for Plaintiffs

John Schwartz and Bradford Glick, Attorneys for the State Defendants